

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**LOWER48 IP LLC,**

Plaintiff,

v.

**SHOPIFY INC.,**

Defendant.

Civil Action No. 6:22-cv-00997-DAE

**FILED UNDER SEAL**

**DECLARATION OF LIV HERRIOT IN SUPPORT OF DEFENDANT SHOPIFY INC.’S  
MOTION TO COMPEL**

I, Liv Herriot, hereby declare:

1. I am an attorney admitted to practice in the State of California and before the United States District Court for the Western District of Texas. I am a Special Counsel at the law firm of Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”), counsel for Defendant Shopify Inc. (“Shopify”) in the above-captioned action. I am over eighteen years of age, of sound mind, and competent to make this Declaration in support of Defendant Shopify Inc.’s Opposition to Lower48’s Motion to Compel.

2. Unless otherwise indicated below, the statements in this declaration are based on my personal knowledge and my review of the documents cited herein. If called to testify as a witness, I could and would competently do so under oath.

3. Attached as **Exhibit A** is a true and correct copy of the undated Amendment to the Consulting Agreement between IP Edge and Lower48, produced by IP Edge as IPE000862-863.

4. Attached as **Exhibit B** is a true and correct copy of the Consulting Agreement dated March 14, 2022 between IP Edge and Lower48, produced by IP Edge as IPE000711-717.

5. Attached as **Exhibit C** is a true and correct copy of the excerpts of the Deposition of Mr. Gautham Bodepudi in his personal capacity and as third-party IP Edge LLC's ("IP Edge") corporate representative, taken January 15, 2025.

6. Attached as **Exhibit D** is a true and correct copy of the RPX Empower webpage for IP Edge, found at <https://insight.rpxcorp.com/entity/1034412-ip-edge-llc>, as of February 19, 2025.

7. Attached as **Exhibit E** is a true and correct copy of excerpts of the Deposition of Mr. Kent Petty in his personal capacity and as Plaintiff Lower48 IP LLC's ("Lower48") corporate representative, taken January 23, 2025.

8. Attached as **Exhibit F** is a true and correct copy of excerpts of the Deposition of Ms. Simina Farcasiu in her personal capacity and as third-party Lower48 Analytics, Inc.'s corporate representative, taken December 12, 2024.

9. Attached as **Exhibit G** is a true and correct copy of a February 6, 2025 letter from Liv Herriot to Michael French.

10. Attached as **Exhibit H** is a true and correct copy of email correspondence between counsel for Shopify and counsel for Lower48, dated between February 6 and February 12, 2025.

11. Attached as **Exhibit I** is a true and correct copy of a February 13, 2025 letter from Andrew DiNovo to Liv Herriot.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on February 27, 2025.

/s/ Liv L. Herriot

Liv L. Herriot